

# **Exhibit D**

# PUBLIC INTEREST

— LEGAL FOUNDATION —

***VIA EMAIL (winfreyj@detroitmi.gov)  
AND CERTIFIED MAIL***

Ms. Janice M. Winfrey  
Detroit City Clerk  
Chairwoman, Detroit Election Commission  
2 Woodward Ave., Ste. 200  
Detroit, MI 48226

September 13, 2019

**Re: Detroit Voter Roll and List Maintenance Review**

Dear Ms. Winfrey:

As you know, we have been reviewing Detroit's voter roll list maintenance procedures. On May 23, 2019, we notified you and the Michigan Secretary of State that your office is not in compliance with the list maintenance requirements of Section 8 of the National Voter Registration Act of 1993 ("NVRA") and certain Michigan laws. We also requested to inspect certain list maintenance records pursuant to the NVRA. On July 30, 2019, our representatives met with Mr. George Azzouz and Ms. Gina Avery-Walker. We appreciate the opportunity to meet with Mr. Azzouz and Ms. Avery-Walker as well as the additional information they provided. However, our concerns regarding the City of Detroit's voter rolls remain active as does our request that your office take steps to bring the voter roll into compliance with federal and state law. Until such time, Detroit remains in violation of the NVRA as was explained in our May 23, 2019 correspondence.

With this letter, we are providing spreadsheets containing voter registrations that should be investigated by your office for the reasons given below and within each spreadsheet. We plan to follow up with your office regarding the progress and results of your investigation. Please feel free to contact us with any concerns or questions. My direct contact information is listed at the bottom of this letter. Thank you for your continued time and attention to this important matter.

**I. Summary Outline of Our Findings**

In order to further demonstrate the need for remedial action, provided below are examples of some of the issues we have detected regarding Detroit's voter roll list maintenance:

- Deceased registrants on the voter roll,
- Registrants appearing twice or even three times on the City's voter roll, and
- Frequent placeholder information (i.e., "01/01/1900") that further compromises the accuracy of the voter roll.

## II. Evidence of Inadequate List Maintenance

### 1. Deceased Registrants and Implausible Dates of Birth

As we explained in our May 23 letter, we have reason to believe that your office is not making a reasonable effort to remove the names of deceased registrants, as required by the NVRA. 52 U.S.C. § 20507(a)(4)(A). Using the City's official voter roll extract from April 2019, we identified records listing years of birth indicating ages of 105 and older, with some records listing dates of birth in the nineteenth century. During our meeting, Mr. Azzouz confirmed that at least one registrant we identified with an implausible date of birth was still registered. Further, Mr. Azzouz confirmed that the office looked for and identified registrants with birth years of more than 100 years ago. To our understanding, **no action has taken place to investigate and, if needed, update these registrations.**

**During our meeting, we informed Mr. Azzouz and Ms. Avery-Walker that we have compiled in a spreadsheet the names of thousands of registrants that we have reason to believe are now deceased.** That spreadsheet has been emailed to you along with this letter.

Our methodology began with narrowing the April 1, 2019 Detroit voter roll to those registrants who were 85 years old or over. We then compared that narrowed list of registrants to available death records. **Our comparison resulted in a list of 2,503 people we have reason to believe are deceased but still registered to vote.**

Spreadsheet Tab	Matching methodology	Results
"Verified"	Registrant matched against Social Security Death Index alone or Social Security Death Index + obituary	2138 registrants
"Proof"	Registrant matched against obituary or other verifiable death records	365 registrants

Alarming, we found registrants with public records indicating they passed away decades ago. For example:

- Gentle W. [REDACTED]
  - SSDI date of death: 3/4/1991
- Louis C. J. [REDACTED]
  - SSDI date of death: 5/15/1991
- Legertha M. S. [REDACTED]
  - SSDI date of death: 8/31/1992

The following are just two examples of obituaries for two individuals that we have reason to believe are still registered to vote in Detroit.

Last Name	First Name	YOB	Address	City	Voter ID No.
L [REDACTED]	SYLVIA	1918	7786 PATTON ST	DETROIT	[REDACTED]

Sylvia R. L [REDACTED]

[REDACTED], 1918 - October 23, 2005 )

Age 87, of Jackson. Born in Detroit, Michigan.

Beloved wife of George III for 64 years. Loving mother of Barbara (John) T [REDACTED], Rollen (Linda) L [REDACTED] and the late David L [REDACTED]. Cherished grandmother of six and great-grandmother of fourteen.

Funeral Mass Thursday 10 a.m. at St. Damian Catholic Church, 30055 Joy Road, Westland. Officiant Rev. Fr. Lawrence Zurawski, Pastor.

Visitation Wednesday 2-9 p.m. at Thayer-Rock Funeral Home, 33603 Grand River Avenue, downtown Farmington (1 blk. W. of Farmington Rd.).

Interment Oakland Hills Memorial Gardens.

Memorial contributions may be made to the Alzheimer's Assoc., 20300 Civic Center Dr., Ste. 100, Southfield, MI 48076.

Last Name	First Name	YOB	Address	City	Voter ID No.
M [REDACTED]	MARGARET	1924	19473 MEYERS RD	DETROIT	[REDACTED]

M [REDACTED] MARGARET January 3, 2012. Age 87. Born [REDACTED] 1924 in Burnwell, W.Va. to Clinton and Nellie H [REDACTED]. Former wife of the late William Parris M [REDACTED]. Loving mother of the late Parris Lamont M [REDACTED]. Loving grandmother of Tiffany M [REDACTED]. Loving great-grandmother of Christian Lamont B [REDACTED]. Cherished and beloved sister of Pauline L [REDACTED]. Predeceased by brothers Douglas H [REDACTED] (Marcia), Frederick H [REDACTED], and Samuel H [REDACTED] (Lois). Margaret was a longtime Detroit Postal Worker. Loved and sadly missed by an aunt, nieces, nephews, cousins and friends. Visitation Pye Funeral Home, 17600 Plymouth Rd., Detroit (313-838-9770), Wednesday, January 11, 2012, 3-8 p.m. Family will receive friends at Pye Funeral Home Thursday, January 12, at 12 noon, funeral service following at 12:30 p.m. Condolences and shared memories: [www.pyefuneralhome.com](http://www.pyefuneralhome.com)

Published in The Detroit News on Jan. 11, 2012

Please note that we began by narrowing the April 1, 2019 Detroit voter roll to those registrants who were 85 years old or over. A comprehensive analysis of all registrants on the voter rolls is needed.

## 2. Duplicate and Triplicate Registrations

As we explained in our May 23 letter, we have reason to believe that Detroit's voter roll contains individuals who are registered to vote twice (duplicate) or even three times (triplicate). Federal law requires that list maintenance be "conducted in a manner that ensures that . . . duplicate names are eliminated from the computerized list" of registrants. 52 U.S.C. § 21083(a)(2)(B)(iii).

Based on our research, it appears your office is not doing an adequate job checking for existing registrations and/or not cancelling previous registrations when found. **During our meeting, we informed Mr. Azzouz and Ms. Avery-Walker that we have compiled in a spreadsheet the names of likely duplicate and triplicate registrations.** That spreadsheet is being provided with this letter.

We began with the April 1, 2019 Detroit voter roll and narrowed the roll to entries with identical or similar data fields, *e.g.*, residential address. Registrations with matching data fields were then manually reviewed for likely duplication, noting the problem we identified where applicable. For our review, potential duplicates with similar data fields that could not be verified as living in single-family dwellings or specific units in multi-family housing were discarded. **Our comparison resulted in a list of 2384 entries that are likely duplicates or triplicates.**

Identified Problem	Amount
Maiden/Married Name Discrepancy	1015
Middle Name Discrepancy	353
Duplicate (Identical)	301
Date of Birth Discrepancy	121
Triplicate	18
Clerical Typographical Error	289
Multiple Issues	277
Gender Discrepancy	10
<b>Total</b>	<b>2384</b>

Here are some examples:

- A. A duplicate set with neatly matching data fields at a single-family residence. The only difference is the voter identification number:

Voter ID Number		Voter ID Number	
Last Name	J [REDACTED]	Last Name	J [REDACTED]
First Name	CHRISTINA	First Name	CHRISTINA
Middle Name	CHERIE	Middle Name	CHERIE
Address	19379 WOODINGHAM DR.	Address	19379 WOODINGHAM DR.
Year of Birth	1993	Year of Birth	1993

B. A duplicate set with an apparent clerical error in the last name field at a single-family residence:

<b>Voter ID Number</b>	[REDACTED]	<b>Voter ID Number</b>	[REDACTED]
<b>Last Name</b>	L [REDACTED]	<b>Last Name</b>	L [REDACTED]
<b>First Name</b>	JEFFERINE	<b>First Name</b>	JEFFERINE
<b>Address</b>	19203 MANSFIELD ST.	<b>Address</b>	19203 MANSFIELD ST.
<b>Year of Birth</b>	1943	<b>Year of Birth</b>	1943

C. Another duplicate set with an apparent clerical error in the last name field at a single-family residence:

<b>Voter ID Number</b>	[REDACTED]	<b>Voter ID Number</b>	[REDACTED]
<b>Last Name</b>	R [REDACTED]	<b>Last Name</b>	R [REDACTED]
<b>First Name</b>	JASON	<b>First Name</b>	JASON
<b>Middle Name</b>	E	<b>Middle Name</b>	E
<b>Address</b>	19359 PELKEY ST.	<b>Address</b>	19359 PELKEY ST.
<b>Year of Birth</b>	1990	<b>Year of Birth</b>	1990

D. A duplicate set with an apparent clerical error involving the middle name field at a single-family residence:

<b>Voter ID Number</b>	[REDACTED]	<b>Voter ID Number</b>	[REDACTED]
<b>Last Name</b>	W [REDACTED]	<b>Last Name</b>	W [REDACTED]
<b>First Name</b>	JAMES	<b>First Name</b>	JAMES
<b>Middle Name</b>	ALFONZO	<b>Middle Name</b>	FARNELL-ALFONZO
<b>Address</b>	20102 BIRWOOD ST	<b>Address</b>	20102 BIRWOOD ST
<b>Year of Birth</b>	1991	<b>Year of Birth</b>	1991

E. A duplicate set with apparent error regarding hyphenation of last name:

<b>Voter ID Number</b>	[REDACTED]	<b>Voter ID Number</b>	[REDACTED]
<b>Last Name</b>	A [REDACTED]	<b>Last Name</b>	T [REDACTED]
<b>First Name</b>	ROSALIND	<b>First Name</b>	ROSALIND
<b>Middle Name</b>	MICHELLE	<b>Middle Name</b>	AVERY
<b>Address</b>	19357 AVON AVE	<b>Address</b>	19357 AVON AVE
<b>Year of Birth</b>	1958	<b>Year of Birth</b>	1958

F. Another duplicate set with apparent error regarding hyphenation of last name:

<b>Voter ID Number</b>	[REDACTED]	<b>Voter ID Number</b>	[REDACTED]
<b>Last Name</b>	D [REDACTED]	<b>Last Name</b>	H [REDACTED]
<b>First Name</b>	CATHY	<b>First Name</b>	CATHY
<b>Middle Name</b>	DIANNE-HARDAWAY	<b>Middle Name</b>	
<b>Address</b>	1935 PASADENA ST	<b>Address</b>	1935 PASADENA ST
<b>Year of Birth</b>	1957	<b>Year of Birth</b>	1957

G. A duplicate set where one entry has a middle name listed and the other one does not:

<b>Voter ID Number</b>	[REDACTED]	<b>Voter ID Number</b>	[REDACTED]
<b>Last Name</b>	T [REDACTED]	<b>Last Name</b>	T [REDACTED]
<b>First Name</b>	LINDA	<b>First Name</b>	LINDA
<b>Middle Name</b>	LOU	<b>Middle Name</b>	
<b>Address</b>	19424 LAMONT ST	<b>Address</b>	19424 LAMONT ST
<b>Year of Birth</b>	1941	<b>Year of Birth</b>	1941

H. A triplicate set with substantially similar data organized in an inconsistent manner:

<b>Voter ID Number</b>	[REDACTED]	<b>Voter ID Number</b>	[REDACTED]	<b>Voter ID Number</b>	[REDACTED]
<b>Last Name</b>	C [REDACTED]	<b>Last Name</b>	S [REDACTED]	<b>Last Name</b>	S [REDACTED]
<b>First Name</b>	ROSE	<b>First Name</b>	ROSE	<b>First Name</b>	ROSE
<b>Middle Name</b>	E	<b>Middle Name</b>		<b>Middle Name</b>	EREMA
<b>Address</b>	20019 HICKORY ST	<b>Address</b>	20019 HICKORY ST	<b>Address</b>	20019 HICKORY ST
<b>Year of Birth</b>	1954	<b>Year of Birth</b>	1954	<b>Year of Birth</b>	1954

The above examples indicate that duplicate registrations are likely generated by both human error and potential faults within the voter registration system itself. Human error stems from either the voter who completed the application or the elections personnel inputting the information. Regardless, the registration system should catch such errors but it is not doing so. Again, we have

provided an attached spreadsheet with likely duplicate registrations. Your office should investigate each instance to determine if there are duplicate registrations. **Your office should also confirm whether any registrations deemed duplicates resulted in multiple votes being cast. If so, further investigation is warranted.**

### 3. Placeholder Registration Data

Perhaps part of the duplicate problem is the use of “placeholder” dates on the voter roll. The date of “1/1/1900” appears throughout the voter roll, compromising the ability to detect duplicate voter registrations. Some of these data are found within the aforementioned duplicates analysis. In fact, 16 percent of duplicate sets contain placeholder data. The origin of these placeholders is not known but their existence within the voter roll makes the roll inaccurate and incorrect.

### III. Action Going Forward

As to issues identified above, your office should take the following action:

1. Review the attached spreadsheet of deceased registrants, investigate each instance, and cancel the registration of any registrant whose death is confirmed.
2. Initiate further audits of the voter roll to identify deceased registrants, including regular, systematic review of implausible birthdates.
3. Perform a mass mailing to all registrants over 100 years old to ensure updated information.
4. Review the attached spreadsheet of likely duplicate and triplicate registrants, investigate each instance, and, where needed; make corrective changes.
5. Initiate further audits of the voter roll to identify duplicate registrants, including regular, systematic review.
6. Perform a mass mailing to all registrants with “placeholder” information in order to obtain a more accurate voter roll and assist in the maintenance of the roll.

### IV. Conclusion

Our research shows that corrective action is needed to make Detroit’s voter roll current and accurate, as required by federal law. We request a follow-up meeting to discuss the above action items and your plan going forward.

Sincerely,



Kaylan L. Phillips

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317-203-5599

CC:

George Azzouz (via email: [azzouzg@detroitmi.gov](mailto:azzouzg@detroitmi.gov))

Gina Avery-Walker (via email: [averyg@detroitmi.gov](mailto:averyg@detroitmi.gov))